

Name Index*

- Abbott, Frederick M., 175-76, 508-11, 513, 600
- Ahuja, Anand, 80, 132, 256, 612
- Aksen, Gerald, 244, 248-49, 253-54, 256-58
- Aldrich, George H., 393-94
- Allen, Beverly, 613
- Allen, S. McIntire, 294
- Alvarez, Jose E., 319-24, 336-38
- Arat, Yutaka, 313-14
- Ari, Yutaka, 220
- Asada, Masahiko, 581
- Asouzu, Amazu A., 256
- Auchincloss, Stuart, 119
- Bakke, Lila J., 582
- Balton, David, 488, 490-93, 504-6
- Bankobeza, Gilbert M., 10, 51, 190, 558
- Barshefsky, Charlene, 508, 511-14, 518-22
- Bellow, Judith H., 8
- Bergin, Kathleen, 160
- Berks, Amy J., 487
- Berman, Nathaniel, 193, 214-18, 220-21
- Berman, Howard L., 123, 125-26, 131, 133-35
- Bernstein, David S., 241
- Bing, Ling, 337
- Bisconti, Andrea, 82
- Black, Bernard, 223, 226-31, 241, 243
- Bolton, John, 123, 129-38
- Boswell, Nancy Zucker, 83, 105, 107
- Boylan, Scott P., 83, 90-95, 105
- Bring, Ove, 159, 395
- Brower, Charles, 244-47, 249-51, 253, 258
- Buckingham, Donald, 16, 20-25
- Buckley, Frank H., 109, 113-15, 119, 121
- Byers, Michael, 377, 598
- Cabral, Charlene Denise Oliveira, 122
- Campbell, Laura, 504
- Carnahan, Burrus M., 392, 580
- Carver, Jeremy P., 602
- Cerna, Christina, 135
- Chayes, Abram, 296, 310-13, 316
- Chayes, Antonia Handler, 348, 365-67
- Chen, Lung-Chu, 58, 136-37, 219, 335, 408
- Chung, Mintsui, 620-23, 624
- Clagett, Brice M., 78, 81, 368, 377-78
- Clodfelter, Mark, 123-24, 133, 136
- Cohen, Elliot, 292-94
- Coleman, Christopher C., 296, 308-10, 318
- Copelon, Rhonda, 612, 614
- Corell, Hans, 274-75, 319, 324-29
- Coven, Phyllis, 616-17, 624, 625
- Cresta, Patricia, 427
- Curtis, Clifton, 178, 181-83, 191-92
- D'Amato, Anthony, 276, 293-95
- D'Arista, Jane W., 160, 164-69, 176
- Damrosch, Lori Fisler, 35, 36-40, 51-52, 54-55, 59
- Davey, William J., 412, 415-19, 424, 426
- De Azambuja, Marcos Castrioto, 508, 514-16, 518-19, 522-23
- Debobs, Richard, 35, 40-42, 55, 57, 59
- DeBusk, Amanda, 8, 9, 10
- Dekanozov, Reginald, 564
- Dellapenna, Joseph W., 242
- DeLuca, Stephen M., 15
- Dewan, Suneeta, 338
- Dhanapala, Ambassador Jayantha, 567-70, 582
- Dinstein, Yoram, 296, 299-303, 316-17
- Doebbler, Curtis, 486
- Dunne, Michael, 55-56, 139, 148-55
- Dunoff, Jeffrey, 121
- Durham, Christine, 259-62, 272-74
- El-Sionfi, Rani Mohammed, 9
- Escian, Victor, 625
- Farer, Tom, 296, 303-8, 318
- Fauteux, Paul, 14, 338, 377-78, 520
- Feinerman, James H., 401-11
- Figel, Brad G., 1, 13-14
- Fisher, Alan, 313
- Fisler, Jean Bauer, 487
- Fitzpatrick, Joan, 259, 262-66, 273, 625
- Fleming, Donald, 410
- Ford, Christopher A., 61
- Franck, Thomas M., 596-98, 600, 601, 604
- Friedman, Richard D., 139, 143-48
- Frost, Ellen L., 1, 12-15
- Frowein, Jochen Abr., 508, 516-18, 522
- Furnish, Dale, 80-81, 522, 541
- Galed, Elli C., 469-70, 486
- Gamble, John King, 16
- Gardner, Richard N., 525-32
- Gilbert, Lauren, 625
- Glennon, Michael, 59
- Goodman, Ronald E.M., 62, 75-78
- Gopal, Mohan Gopalan, 223, 231-37, 242-43
- Gorove, Katherine, 241-42
- Graham, Thomas, 582
- Green, Jonathan Clark, 82
- Greene, Kate, 318
- Grissbach, Lothar, 521
- Gudridge, Patrick O., 178, 183-88
- Hall, Julia, 615
- Hamilton, Debra Jean, 295, 544

* This Name Index indicates where the reader will find the contributions, questions or responses of the Chairs, Panelists, Reporters and any who posed a question from the floor.

644 ASIL Proceedings, 1996

- Han, Henry, 613
Hannum, Hurst, 296, 297-99, 314-16
Haque, Inaamul, 79, 241, 425
Harland, Christopher, 257, 564
Harris, Martha Caldwell, 574-76, 580
Hathaway, James, 561-62
Helton, Arthur C., 545, 546-49, 563-64
Henckaerts, Jean-Marie, 545, 559-61, 563-64
Hendell, Garri Benjamin, 518
Hendley, Kathryn, 223, 237-40, 242
Henkin, Alice H., 259
Henry, Jim, 244, 247-48, 250
Hey, Ellen, 506
Hizon, Ernie, 295
Hoffman, Paul, 259, 266-69
Hoffman, Walter, 425-26
Hoinkes, Mary Elizabeth, 565-67, 581, 582
Holmer, Alan, 8, 9
Holtzmann, Howard, 244, 246-47, 250-51, 254-55, 257-58
Horlick, Gary N., 8-9
Hunt, William E., 255-56
- Jackson, John H., 56-57, 118, 412, 423-24
Jacobson, Harold K., 408, 583-84
Jaffe, Matthew P., 427
Joelson, Mark, 258
Johnson, Larry D., 471, 474-79, 487
Johnson, Scott T., 275
Juillard, Patrick, 160, 172-77
- Kasperowicz, Peter, 7, 425
Kelly, Nancy, 618, 624, 626
Kessedjian, Catherine, 257
Khan, Sikandar Hayat, 54, 55, 160, 219
Kim, Lynda J., 10
Kimball, Lee A., 178, 188-90
Kingsbury, Benedict, 120
Kiris, Frederic L., 139-43
Kirsch, Philippe, 137
Kittrie, Nicholas N., 296-97, 314
Koplow, David A., 570-74, 581
Kpundeh, Sahr John, 83, 95-97, 105
Ku, Charlotte, 16, 25-28, 584-85, 599, 603
Kwiatkowska, Barbara, 335-36
- Landerer, Lilly E., 58, 313
Lang, Jeffrey, 412, 419-23, 425-26, 427
Laoudji, Leila, 82
Lauterpacht, Elihu, 593-96, 601, 603
Lee, Luke T., 241, 545, 554-58, 559-60, 563
Legum, Barton, 62, 71-75, 78-79, 81-82
Leigh, Monroe, 376, 487
Lichtenbaum, Peter, 379
Lichtenstein, Cynthia, 160-63, 176-77, 600
Lichtenstein, Natalie, 397, 407-8
Ling, Bing, 411
Little, George E., 564
Long, Doris Estelle, 276, 286-92, 295
Lovett, William, 9, 131, 176
- Lowenfeld, Andreas, 252-53, 255, 368, 373-76, 377
- Mahmoudi, Said, 488-89, 505, 506-7
Makki, Fadi, 424
Makrodimitis, Pinelopi, 192
Marks, Stephen P., 273-74
Matheson, Michael J., 381-84, 393-96
McCusker, Paul, 544
Meagher, Patrick, 121
Mendel, Toby, 562-63
Meron, Theodor, 471, 483-86, 487
Miller, Roberta Balstad, 16-20
Mines, Steven T., 507
Mitchell, Stephanie J., 397
Mora, Henry, 219, 242
- Nafziger, James A. R., 313, 407, 558-59
Nagan, Winston P., 193-200, 218-19
Nanda, Ved, 485
Nelson, Nancy, 62-67, 80
Newman, Lawrence W., 62, 67-71, 81-82
Nishisato, Ira, 313
- O'Connor, Courtney Mireille, 564
Okun, Herbert S., 471, 486
Okuwadi, Naoya, 348-53
Owada, Hisashi, 35, 42-44, 52-53, 57, 59-60
Oxman, Bernard, 504-5
- Paemen, Hugo, 3-7, 8
Paust, Jordan, 273, 544, 611
Payne, Cymie, 258
Penna, David R., 221
Persaud, Avinash, 160, 169-72, 176
Peterson, M. J., 602
Phillips, Leo H., Jr., 1
Polly, Mary Page, 367, 603
Popa, Radu D., 106, 542
Porges, Amelia, 412-14, 425, 427
- Quick, Reinhard, 8
Quigley, John, 560-61
- Rampilla, Narayana Rao, 158, 219
Reed, Lucy, 244, 245-46, 251-52, 256
Reichman, Jerome, 241, 276-84, 293-95
Rhineland, John B., 576-80, 581, 582
Richardson, Henry, 105-6, 160, 219-20, 314
Rieser, Timothy S., 381, 389-91, 392-3
Ristau, Bruno A., 533, 542
Ritchie, Anne, 274
Roach, J. Ashley, 381
Rockwood, Bruce, 292, 379, 581
Roht-Arriaza, Naomi, 178-81, 190-91
Rose-Ackerman, Susan, 83-90, 106
Rovine, Arthur, 81, 251, 256
Rubin, Alfred, 158, 376
Rydberg, Robert, 381, 384-89, 393, 394, 395

- Sahady, John M., 258, 426
 Sandoz, Yves, 391-92
 Sapiro, Miriam, 605
 Sarkar, Rumu, 243
 Saunders, Phillip, 348, 359-65
 Schlein, Melvin R., 106-7, 559
 Schoenbaum, Thomas J., 139, 155-60
 Schoettle, Enid C. B., 319
 Schwartz, Herman, 259, 269-72, 274
 Schwartz, Warren, 109, 111-13, 18-21
 Schwebel, Stephen M., 339-47
 Schweitz, Martha, 120
 Scott, Douglas, 192
 Scott, Richard, 543
 Shashank, Amit, 314
 Shelton, Dinah, 348, 353-59
 Shen, Jianming, 220, 409, 599
 Spiro, Peter J., 191-92
 Stark, Barbara, 55
 Stavropoulou, Maria, 545, 549-54, 559, 563-64
 Steinberg, James, 123, 126-29, 134-38
 Stephan, Paul, 109, 115-17
 Stern, Brigitte, 378-79, 585-93, 599, 603, 604
 Stokes, Bruce, 1, 10-11
 Strauss, Andrew, 79-80, 377
 Swingler, Kejo, 241
 Sykes, Alan, 109-13, 117-21
 Szasz, Paul C., 337, 471, 479-83, 486
- Tamir, Yael, 193, 200-6, 220
 Tarullo, Daniel K., 1-3, 7-8
 Terranova, Manuel, 34
 Thierry, Hubert, 319, 329-33, 336-37
 Thornton, Brenda, 319, 333-35, 338
 Tierney Goldstein, Anne, 612, 613, 614, 623, 624
 Trachtman, Joel P., 521-22
- Tramhel, Jeannette, 519, 602
 Trimble, Phillips, 488, 499-504
 Trofimenko, Martha B., 240-41
 Trooboff, Peter, 377
 Trubek, David, 223-26, 242, 243
 Tuzmukhamedov, Bahktiyar, 35, 44-46, 56, 60
- Vagts, Detlev, 16, 32-34, 117
 Viano, Emilio, 105, 274
 Viles, Thomas, 602
 Viseur Sellers, Patricia, 605-11, 612, 613, 614
 Voltz, Katherine, 83, 97-105, 107
 Vyver, Johan van der, 193, 211-14, 221
- Warlow, Mary Ellen, 533, 537-41, 541-44
 Watson, Jill McC., 16, 31-32
 Weaver, Jane, 107
 Wedgwood, Ruth, 107, 137-38
 Weiss, Edith Brown, 1, 348
 Weiss, Peter, 271-72, 394
 Whitfield, Shirley E., 396
 Williamson, Richard, 488, 493-99, 505-6
 Wilson, Kathleen, 338
 Wippman, David, 193, 206-11, 221
 Wise, Virginia, 276, 284-86, 293
 Wiss, Marcia, 8, 519
 Woodward, Susan L., 471-74, 485-87
 Woolsey, R. James, 35-36, 52, 56, 57, 58-59, 60-61
 Wylie, David, 134-35
- Zagaris, Bruce, 541
 Ziegler, Andreas R., 523
 Zimmerman, Frederick, 16, 28-31
 Zivin, Kara, 138, 487
 Zoller, Elizabeth, 35, 46-51, 53-54, 58, 60
 Zvekic, Ugljesa, 533, 533-37, 542-43



Subject Index

- Aalanders Islanders, 215
- Antiballistic Missile Treaty, 124, 127
- Absolutism, state, 212-13
- Accountability, 177-92
- Afghanistan, and the Convention on
Conventional Weapons (CCW), 383, 384
- Africa
 - and kleptocracy and democracy, 95-96, 101, 103-4
 - and war powers and peace operations, 37, 47
- African-Americans, 200
- Agnew, Spiro, 35
- Aideed, Mohammed, 41
- AIDS, 391
- Algeria, 216-17, 221
- Alien Tort Claims Act (ATCA), 71-75, 78-80, 82
- Alternative Dispute Resolution (ADR), 247-48, 249, 250, 253, 257
- American Arbitration Association (AAA), 244, 246, 248, 249
- American Bar Association, 67, 90, 145
- American Civil Liberties Union (ACLU), 266-67
- American Law Institute, 145-8, 147
- American Society of International Law (ASIL)
 - epistemic community, 584-5
 - founding of, 139-43
 - Web page, 16, 26-28, 31-32
- Angola, and the Convention on Conventional
Weapons (CCW), 384
- Antarctic Treaty, 188-89
- Antisuit injunctions, 62-67
- Apartheid, 199
- Arbitrage Court, 228-29
- Arbitration, international, 244-56
- Argentina, and international litigation, 72, 79
- Armistice Agreement, 159
- Arms control. *See* Weapons control
- Association of Southeast Asian Nations (ASEAN), 60, 413, 511
- Asia-Pacific Economic Cooperation (APEC)
 - forum, 2, 15, 101, 128, 511-13, 521
- Aspen Institute, 259
- Australia, 37
 - corruption in, 97
 - and human rights law, 263, 264
 - and international litigation, 64, 66-67
- Austria, 38, 342
- Badinter Commission, 472
- Baltics, 215, 220
- Bangladesh, 233, 302, 303
- Bank for International Settlements (BIS), 166-67
- Basel Convention amendment, 8, 10
- Bay of Pigs invasion (Cuba), 155, 157
- Bayrou, Francois, 203
- Becker, Gary, 120
- Beijing Conference. *See* Conference on
Women
- Belgium, and international litigation, 69
- Bering Sea, 492
- Berlin Wall, 92
- Bermuda, 254
- Berne Convention for Protection of Literary
and Artistic Works, 281, 282, 287, 288, 292
- Biafra, 213
- Bikel, Alex, 35
- Borjas, George J., 113
- Bork, Richard, 79
- Bosnia, 41-42, 46, 54-56, 123, 125, 127, 479-83
 - and international litigation, 71, 72-73, 79
 - and issues regarding cultural dominance, 207, 208, 210
- Boutros-Ghali, Boutros, 42, 136
- Brazil, and human rights law, 274
 - and international litigation, 64
- Brennan, William, 259, 261
- Bretton Woods Conference, 161, 169
- Bretton Woods institutions, 224
- Bricker Amendment, 151-53, 262-63
- Bricker, John W., 151-52
- Brilmayer, Lea, 265
- Britain. *See* United Kingdom
- British Columbia, 47
- British Columbia Arbitration Centre (BCAC), 247, 257
- Bruntland Commission, 182
- Buchanan, Pat, 9-12, 123-25
- Bulgaria, and human rights law, 271
- Burley, Cheryl J., 18
- Bush, George, 56, 153
 - and isolationism and internationalism, 125, 133, 154
 - and the Persian Gulf War, 38, 41, 51
 - and Somalia, 41
 - and U.S./UN financial relations, 319, 342
- Cable News Network (CNN), 41, 57
- Cambodia, and the Convention on
Conventional Weapons (CCW), 384
 - and war powers and peace operations, 49, 54
- Canada, 492-93
 - and capital flows, 164, 169
 - and the Convention on Conventional
Weapons (CCW), 389
 - and economic integration, 520
 - and environmental standards, 179
 - and human rights law, 263
 - and immigration law, 113-15, 618-19
 - and information technologies, 21, 23-25

648 ASIL Proceedings, 1996

- and international law, 21, 23-25
- and international trade, 3, 14
- and issues regarding cultural dominance, 201-6, 219
- and multiculturalism, 201-6
- and secessionist conflicts, 305, 317
- and war powers and peace operations, 37
- Capital flows, 161-77
 - international, 164-69
 - under the Maastricht treaty, 172-77
- Capitalism, and the law and development movement, 224, 226, 234
- Carter, Jimmy, 308, 310
- Cass, Ronald, 112
- Castro, Fidel, 115, 124, 157
- Central and East European Law Initiative (CEELI), 90, 106
- Central Intelligence Agency (CIA), 198
- Chad, 48
- Chechnya, and secessionist conflicts, 311-14
- Chemical Weapons Convention, 192
 - and ratification by the United States, 577
- Chile, and capital flows, 166, 168
- and international litigation, 70
- China, and capital flows, 171
 - and the Convention on Conventional Weapons (CCW), 383, 391, 396, 388
 - economic reform in, 117
 - and information technology, 288, 289, 292
 - and international arbitration, 253-54
 - and international economic institutions, 397-411
 - and international litigation, 77
 - and international trade, 10, 14
 - and internationalism, 152
 - and isolationism and internationalism, 123-25, 131-37
 - and the law and development movement, 225, 241-43
 - MFN status for, 124, 133
 - and nuclear tests, 569-70
 - and secessionist conflicts, 298
 - and Taiwan, 123
- Christianity, and issues regarding cultural dominance, 204-5, 216
- Christopher, Warren, 100, 101
- Citizenship, and issues regarding cultural dominance, 203
- Clark, Ramsey, 79
- Clinton, William, and Bosnia, 125
 - campaign contributions to, 120
 - and human rights, 153
 - and immigration, 115
 - and international trade, 1, 3, 11-14
 - and isolationism and internationalism, 123-25, 129, 131, 133, 154
 - and the 1996 campaign, 123, 124, 129
 - and non-proliferation, 574
 - and U.S./UN financial relations, 320-24, 342
 - and the World Trade Organization, 418
- Cold War, 297, 307, 314-15
 - democratization after, 93, 104
 - and international trade, 9
 - and internationalism, 152
 - and isolationism and internationalism, 125-27, 128
 - and issues regarding cultural dominance, 193, 215, 219, 220
 - and Rusk, 157-58
- Comity, 62-67
- Commission on International Rules of Judicial Procedure, 67
- Common Foreign and Security Policy (CFSP), 50
- Commons, John R., 224
- Commonwealth of Independent States (CIS), 60
- Communism, and human rights law, 271
 - and international trade, 9
 - and issues regarding cultural dominance, 217
 - and the law and development movement, 228
- Communist Party, and kleptocracy and democracy, 91, 92
 - and the law and development movement, 228-29
 - and secessionist conflicts, 304
- Company law, 226-31
- Compliance, problems of, 348-67
- Comprehensive Test Ban Treaty, 568-70, 576-77
- Computer-assisted instruction (CAI), 21-25
- Conciliation, 75-78
- Conference on Disarmament, and production of nuclear weapons, 568
- Conference on Environment and Development, 351, 361-65
- Conference on the Review and Extension of the Non-Proliferation Treaty (NPT), 565, 567-70
- Conference on Security and Co-operation in Europe (CSCE), 38, 40, 473
- Conference on Women, Fourth World (Beijing Conference), 189
- Congress, 73
 - and human rights law, 265
 - and international arbitration, 255-56
 - and international litigation, 67, 78-79
 - and international trade, 5, 11, 15
 - and isolationism and internationalism, 129-30, 137
 - and NAFTA, 11, 129-30
 - and U.S./UN financial relations, 319-24
 - and war powers and peace operations, 35-36, 38, 40-42, 51-52, 54, 56-57, 59
- Connally Amendment, 151-53
- Consortium for International Earth Science Information Network (CIESIN), 16-20, 28-32
- Constitution of 1889, Meiji (Japan), 42-43

- Constitution of 1958 (France), 47-49
- Constitution (Russian Federation), 44-45
- Constitution (United States), 53, 58-59
 - Article I, Section 8, 50
 - Fourteenth Amendment, 259, 267
 - and human rights law, 259, 262-66, 267, 269
- Constitutions, U.S. state, the influence of human rights law on, 259-75
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment (Torture Convention), 73, 262, 264
- Convention on Conventional Weapons (CCW), 380-98
- Convention on Drug Trafficking, 98
- Convention on the Elimination of All Forms of Discrimination Against Women, 263
- Convention on the Elimination of All Forms of Racial Discrimination (Race Convention), 209, 262-64
- Convention on the Law of the Sea (UNCLOS), 137-38, 491-93, 506
- Convention on the Rights of the Child, 263-64
- Copenhagen Document, 40
- Copyright law, 276-84
- Corruption, 83-90
 - and international institutions, 98-105
 - risks of, 86-87
- Costa Rica, and war powers and peace operations, 37
- Council of Europe, 101-2, 270
- Courts, U.S. state, the influence of human rights law on, 259-75
- CPR Institute on Dispute Resolution, 244
- Crimes against humanity. *See* War crimes
- Critical Legal Studies movement, 197
- Croatians, 198
- Cuba, 114, 155, 157, 368-79
 - and international trade, 5, 6, 8
 - and isolationism and internationalism, 124, 125, 137
 - sanctions against, 124, 125
- Cuban Missile Crisis, 155, 157, 159
- cultural dominance, 193-221
 - and equality, 196-97
 - and multiculturalism, 200-6
 - and nationalism, 214-18
 - powersharing as a response to, 206-11
 - and the self-determination of minorities, 211-14
 - and the sphere of sovereignty, 211-14
- Cyprus, 61
 - and issues regarding cultural dominance, 208, 209, 210, 213
 - and secessionist conflicts, 306
- Czech Republic, and issues regarding cultural dominance, 216
 - and kleptocracy and democracy, 90-91
- Czechoslovak Bill of Rights, 270
- Czechoslovakia
 - and human rights law, 270, 271, 274
 - and issues regarding cultural dominance, 207
 - and secessionist conflicts, 298, 302, 303, 315, 317-18
- D'Arista, Jane, 162, 169, 171-72
- d'Estaing, Giscard, 48
- Davis, Christopher, 18
- Dayton Accords, 42, 123, 125, 199, 479-83
- Declaration on the Rights of Persons
 - Belonging to National or Ethnic, Religious and Linguistic Minorities, 212-14
- Declaration on the Granting of Independence to Colonial Countries and Peoples of 1960, 212
- Democracy, 83-107
 - and isolationism and internationalism, 129-30
 - and issues regarding cultural dominance, 206, 207
 - and organized crime, 90-95
 - and the "paradox of stability," 84-86
- Democratic National Committee, 11
- Democratic Party, and international trade, 11, 13
 - and war powers and peace operations, 35
- Denmark, 38
- Desert Storm. *See* Operation Desert Storm
- Dewey, John, 196
- Dicey, A. V., 236, 242-43
- Dispute resolution, 75-78
- Dole, Robert, 11-12, 14, 123, 123-25, 129-31, 133, 424-25
 - and the 1996 campaign, 125, 129
- Dunne, Michael, 160
- Eastern Europe, and kleptocracy and democracy, 101, 106
 - and war powers and peace operations, 37
- Economics, and international law, 109-22
- ECOSOC. *See* United Nations
- Ecuador, 136
- Egypt, 48
- Emissions trading, 493-94
- England. *See* United Kingdom
- Enlightenment, 216
- Environmental issues, 488-507
- Environmental Law and Institutions
 - Programme Activity Center (ELI/PAC), 30
- Environmental standards, 178-92
- Environmental treaties, and information technologies, 28-31
- Environmental Treaties and Resource Indicators (ENTRI), 28-31
- Eritrea, 213
- Estonia, and secessionist conflicts, 303

- Ethiopia, 213
 - and international litigation, 79
 - and secessionist conflicts, 315
- Ethnic identity, and issues regarding cultural dominance, 194, 195, 206-11
- European Commission, 6, 7
- European Convention on Human Rights, 242, 270-71
 - Fourth Protocol, 220
- European Court of Human Rights (ECHR), 274-75
- European Court of Justice (ECJ), 173, 174
- European Economic Community, 161-62
- European Framework Convention for the Protection of National Minorities, 210-11
- European Union, 509-11, 514, 516-18, 521-22
 - and the Convention on Conventional Weapons (CCW), 384
 - and economic integration, 508
 - information technology and, 291
 - and international trade, 2-3, 5-9
 - and kleptocracy and democracy, 102, 107
 - and secessionist conflicts, 296, 299
 - and the Yugoslav crisis, 420, 472, 473
- Evidence, obtaining, 67-71
- Extraterritoriality, 368-79
- Falklands War (1982), 55-56
- Federal Bureau of Investigation (FBI), 92
- Federal Communication Commission (FCC), 2
- Federal Judicial Code, Title 28, Section 1782, 67, 69, 70-71, 80, 81
- Federal Reserve, 10-11
- Federal Rules of Civil Procedure, 67, 81
- Federalism, and human rights law, 259, 263
- Finland, and war powers and peace operations, 38
- Fisheries, 490-99, 504-5
- Food and Agriculture Organisation (FAO), 189, 492, 506
 - and Agreement concerning Fishing Vessels, 492, 506
- Foreign Corrupt Practices Act (FCPA), 93-95
- Forum non-conveniens, 62-64, 66
- France, 83
 - and capital flows, 166, 173
 - and immigration, 114
 - and international litigation, 69, 70
 - and isolationism and internationalism, 131
 - and nuclear tests, 569
 - and war powers and peace operations, 37, 39, 46-51, 53-54, 58
- Free Trade Areas of the Americas (FTAA), 100, 508, 511-13, 519-22
- French National Assembly, 37
- Freud, Sigmund, 214, 218
- Friendly Relations Declaration, 301
- Game theory, 109
- Gross Domestic Product, 12, 84, 164, 166, 169, 176, 408, 419
- General Agreement on Tariffs and Trade (GATT), 2-3, 6-9, 14-15, 109-12, 117-21, 365
 - and China, 397, 401-5, 408-10
 - and economic integration, 508, 518
 - and information technology, 280, 287
 - Uruguay Round, 1-5, 7, 9, 15, 128, 287, 412, 415, 425
 - and the World Trade Organization, 412-19, 421, 424, 425, 427
- General Federal Subject Matter Jurisdiction Statute, 79
- Geneva Conference of 1954, 157
- Geneva Declaration of 1954, 158
- Genocide Convention, 82, 262
- Gephardt, Richard, 11, 13
- Germany
 - and Austria, customs union between, 342
 - and capital flows, 166, 170
 - and international litigation, 65, 76
 - and international trade, 3
 - and isolationism and internationalism, 131
 - and kleptocracy and democracy, 83, 95
 - and war powers and peace operations, 39, 48, 50-52
 - and the Yugoslav crisis, 472-73
- Global Information Infrastructure, 282
- Global warming, 493-94
- Globalization, and international institutions, 591-92
 - and the law and development movement, 224-25
- Gorbachev, Mikhail, 227, 228
- Greece, 37
- Greenpeace, 191
- Guatemala, 72
- Gulf of Tonkin, 47
- Gulf War. *See* Operation Desert Storm, Persian Gulf War
- Habeas corpus, writ of, 273
- Hague Peace Conferences, 139, 149-50, 152
- Haiti, and international trade, 9
 - and war powers and peace operations, 54-55
- Halifax Summit, 163
- Helms-Burton Act, 8, 124, 137, 368-75, 378
- Helms, Jesse, 13, 138
- Helsinki Conference and Act of, 311, 355
- Henkin, Louis, 263
- Hobsbaum, Eric, 117
- Hong Kong, 76, 406
 - and capital flows, 166
 - and immigration, 114
 - and international arbitration, 245, 247, 248, 254, 255
 - and isolationism and internationalism, 124, 134
- Hong Kong International Arbitration Centre, 245
- Hudson, Manley, 140

- Hughes, Charles Evans, 143-48, 160
- Human rights, 152-53, 259-75
 and the Convention on Conventional Weapons (CCW), 389
 and corruption, 96
 and Cuban-Americans, 372-78
 and the law and development movement, 224, 233
 litigation, 71-75
 and secessionist conflicts, 300-1, 304, 312-13, 315
 and the Yugoslav crisis, 483-87
- Human Rights Covenants, 300-2, 304, 313, 315
- Hungary, and capital flows, 170
 and human rights law, 242, 270-72
- Hussein, Saddam, 38
- ICSID Convention, 248, 252
- Immigration, and economics, 113-15, 119, 122. *See also* Canada, immigration law, U.S. immigration law
- India, 169
 and the Convention on Conventional Weapons (CCW), 396
 and international litigation, 62, 64
 and secessionist conflicts, 301
 and war powers and peace operations, 37
 and the Yugoslav crisis, 475-76
- Indonesia, and information technologies, 26
 and international litigation, 63
- Information technology. *See* Technologies, information
- Inter-American Convention Against Corruption, 100-1, 104
- International Atomic Energy Agency (IAEA), and China, 396
 and the Non-Proliferation Treaty, 566
- International Chamber of Commerce (ICC), 75, 78, 81, 103, 244-46, 247-49, 252, 254
- International Committee of the Red Cross (ICRC), 389, 391-93
- International Council of Scientific Unions (ICSU), 18
- International Court of Justice, 142, 147, 150-54, 352-53
 critical appraisal of, 339-47
 and secessionist conflicts, 312
 and the Yugoslav crisis, 478-79
- International Covenant on Civil and Political Rights (ICCPR), 209, 262-66, 273. *See also* Human Rights Covenants
- International Covenant on Economic and Social Rights. *See also* Human Rights Covenants
- International Criminal Tribunal for the former Yugoslavia (ICTY), 605-14
 and sexual assault, 605-11
- International Criminal Tribunal for Rwanda (ICTR), 333-35, 605-14
 and sexual assault, 605-11
- International Federation of Commercial Arbitration Institutions, 248
- International financial institutions (IFIs), 102-4
- International Human Rights Task Force (ACLU), 266
- International institutions
 and communication technologies, 592
 and the development of international law, 571-74, 595-96
 effectiveness of, 583-604
 as epistemic communities, 584-85
 executive functions, 573, 587-88
 investigatory functions, 572
 judicial functions, 588-89
 legislative functions, 571-72, 593-96
 missions of, 586-87
 relations with states, 589-91
 and the world economy, 591-92
- International Labour Organisation, 14, 15, 271, 330, 332
- International law, 319-38
 and Dean Rusk, 155-58
 twentieth-century attitudes towards, 139-60
- International litigation, 62-82
 and conciliation, mediation and dispute resolution, 75-78
 and international human rights litigation, 71-75
 and obtaining evidence, 67-71
- International Monetary Fund (IMF), 9, 161-63, 166-67, 168, 170
 and China, 396
 and human rights law, 270
 and kleptocracy and democracy, 105, 106
 and water resources, 502-3
- International Organization for Standardization (ISO), 178-81, 190
- International Peace Cooperation Law of 1992, 43-44, 53
- International trade, 1-15
 and electoral politics, 10-14
 in 1995 and 1996, 1-8
- International Trade Commission, 112
- Internationalism, 123-38
 and issues regarding cultural dominance, 218
 judicial, in the twentieth century, 148-55
- Internet, and teaching international law, 21-25. *See also* Technologies, information
- Investors, institutional, 164-69
- Iran, and international trade, 5
 and isolationism and internationalism, 125, 137
- Iran-U.S. Claims Tribunal, 256
- Iraq, 41, 125
- Isolationism, 123-38
- Israel, and war powers and peace operations, 37

- Italy, and capital flows, 170
and international trade, 9
and kleptocracy and democracy, 83
and war powers and peace operations, 37, 38
- Japan, 491-92
and capital flows, 164
and international arbitration, 253-54
and international litigation, 77
and international trade, 3, 10-13
and isolationism and internationalism, 128, 131
and kleptocracy and democracy, 83, 95
and Self-Defense Forces (SDF), 43-44, 53
and war powers and peace operations, 37, 42-44, 52, 53, 59-60
- Johnson, Lyndon B., 159
- Kantor, Mickey, 12-14, 101
- Kashmir, 390
- Kassebaum Amendment, 320
- Katanga, 213
- Kennedy, Robert, 159
- Kennedy, John F., 156, 157
- Kenya, 103
- Khrushchev, Nikita, 156-57
- King, Martin Luther, Jr., 200
- Kleptocracy, 83-107
- Kohl, Helmut, 176
- Korea, and the Convention on Conventional Weapons (CCW), 392
and international litigation, 63
and kleptocracy and democracy, 83, 86
- Korean War, 55, 153, 155
- Krugman, Paul, 3
- Kuwait, 38, 125
- Land mines, 380-98
- Lasswell, Harold, 193, 218, 200
- Latin America, and capital flows, 165-66, 169
and issues regarding cultural dominance, 219
and kleptocracy and democracy, 99
and war powers and peace operations, 37
- Latvia, and secessionist conflicts, 303
- Law of the Sea Treaty. *See* Convention on the Law of the Sea (UNCLOS)
- Law and development movement, 223-43
and company law for emerging markets, 226-31
and the concept of law, 234-35
and the development of legal systems, 235-36
history of, 223-26
and methodology, 236
and the nature of legal change, 235-36
and the neutrality of law, 235
and pluralism, 231-37
purpose of, 232-33
transnational discourse on, 226
- Lawrence, Robert, 11
- League of Nations, 142, 149, 150, 215
- Lebanon, and war powers and peace operations, 49
- Lee Dung Wei, 133, 134, 137
- Legal Realism, 216
- Lenin, V. I., 238
- Libya, 5
- Lijphart, Arend, 207
- Lincoln-Douglas debates, 33
- Lionnet, Klaus, 249
- Lithuania, 79, 303
- London Court of International Arbitration (LCIA), 244
- Lowenfeld, Andreas, 253, 255
- Maastricht Treaty, 102, 172-77
- Macroeconomic policies, 166-67
- Madrid Summit, 2
- Malaysia, and capital flows, 166, 168
- Mandelbaum, Michael, 130
- Mansour, Abdallah, 204
- Marrakesh Agreement, 276
- Marxist-Leninism, and issues regarding cultural dominance, 196, 219
- Mawdsley, Andres Aguilar, memorial for, 627
- Mediation, 75-78
- Mexico, 80-81, 83
and capital flows, 162-63, 165-66, 168, 170, 176
and economic integration, 520
peso crisis, 520
- Middle East, and capital flows, 165-66
and nuclear non-proliferation, 569
- Missouri v. Holland*, 262
- Mitterand, Francois, 49
- Modernization, 231
- Monroe Doctrine, 148, 150
- Mosk, Stanley, 268
- Most-favored nation (MFN) status, 7, 14, 124, 133, 402-5, 503
- Mozambique, 385
- Multiculturalism, 200-6
- Multidisciplinary Group on Corruption, 101-2
- Muslim countries, and information technologies, 26-27
- Muslims, and issues regarding cultural dominance, 198, 204
- Napoleonic Wars, 53
- Narcotics trade, 97, 98
- National Aeronautics and Space Administration (NASA), 28
- National Conference of Commissioners on Uniform State Laws, 67
- National Economic Council (NEC), 12
- National identity, community processes of, 195-96
socially constructed concept of, 193-94

- National Intelligence Council, 26
 National Research Council (NRC), 29
 National Telecommunications and Information Administration (NTIA), 2
 National Science Foundation, 16
 Nationalism, and issues regarding cultural dominance, 193-96, 214-18
 Netherlands, and international litigation, 69
 and war powers and peace operations, 38, 52
 New Zealand, 317
 information technology and, 288
 and war powers and peace operations, 37
 New York Convention, 248, 252, 256-57
 Newborn, Bert, 260, 261
 Newman, Frank, 259, 264, 266, 268-69
 Nicaragua, 6, 312
 Nigeria, 303
 Non-Proliferation Treaty (NPT), 565, 567-70, 576. *See also* Conference on the Review and Extension of
 Nootka Sound attack, 47
 Noriega, Manuel, 132, 135
 Norms, nonbinding, 348-67
 North American Free Trade Agreement (NAFTA), 9, 11, 14, 107, 115, 245, 365
 and economic integration, 508-11, 514, 518-20
 and isolationism and internationalism, 124, 128-30
 and secessionist conflicts, 296
 vote on, 129-30
 and the World Trade Organization, 418
 North Atlantic Treaty Organization (NATO), 309
 and the Convention on Conventional Weapons (CCW), 389, 390
 and the Dayton Accords, 123
 founding of, 155
 and isolationism and internationalism, 123, 127-28, 130
 and war powers and peace operations, 37, 40-42, 46, 56
 and the Yugoslav crisis, 38-39, 123, 473
 North Korea, 159
 and international arbitration, 244
 and isolationism and internationalism, 134
 Norway, and war powers and peace operations, 38
 Nuclear non-proliferation, 565-82. *See also* Non-Proliferation Treaty
 Nuclear weapon-free zones, 570
 Nye, Joseph, 26, 27
 Olney, Richard, 148
 Operation Restore Hope, 41
 Operation Desert Storm, 40-41, 50. *See also* Persian Gulf War
 Organisation for Security and Co-operation in Europe (OSCE), 211, 355, 473, 482
 Organization of American States (OAS), 100, 104, 132, 135-36, 157
 Organisation for Economic Co-operation and Development (OECD), 3, 5, 7, 161-62, 378, 494
 and kleptocracy and democracy, 93-95, 99-100, 103-5
 Organized crime, 90-95. *See also* Transnational crime
 Pakistan, 124
 and secessionist conflicts, 298, 302
 and war powers and peace operations, 41, 54-55
 and the Yugoslav crisis, 475-76
 Palestinians, and issues regarding cultural dominance, 217
 and secessionist conflicts, 313, 316
 Panama, 132, 141
 Paraguay, 71-73, 79-80
 Parallel proceedings, 62-67
 Paris Convention for Industrial Property, 287, 288, 295
 Permanent Court of Arbitration, 139-40
 Permanent Court of International Justice (PCIJ), 342-43
 Persian Gulf War, 36, 38-41, 43, 49-56, 60
 and France, 49-50
 and isolationism and internationalism, 126, 131. *See also* Operation Desert Storm
 Peru, 136
 Philippines, 164
 Pluralism, 231-37
 Poland, and human rights law, 270-72
 and nationalism, 217
 Pope, Alexander, 32-33
 Portugal, and war powers and peace operations, 37
 Private actors, 177-92
 Privatization, 226-31
 Programme of Action Against Corruption, 101
 Putnam, Robert, 187
 Quebec, 201-6, 298, 317
 Quick-Reaction Force, 41
 Race Convention. *See* Convention on the Elimination of All Forms of Racial Discrimination
 Rape. *See* Violence against women
 Reagan, Ronald, 153, 237
 Realism, 196
 Republican Party, 124, 147
 and immigration, 115
 and international trade, 13, 14
 and isolationism, 124, 126, 130
 and the 1996 campaign, 123
 Republika Srpska, 215, 220
 Rio Treaty, 135
 Rio Declaration, 182
 Romania, 106

654 ASIL Proceedings, 1996

- Rome Treaty, 172-75
 Ruda, Jose Maria, memorandum for, 627-29
 Ruggiero, Renato, 101
 Rusk, Dean, 155-58
 Russia, 139-40, 491-92
 and the Convention on Conventional Weapons (CCW), 383, 394, 396
 and international trade, 9
 and kleptocracy and democracy, 90-95, 99, 105-6
 and the law and development movement, 223-24, 226-31, 233, 237-40
 and war powers and peace operations, 44-46, 56
 and weapons control, 577-79
 Rwanda, 73, 219, 333-35

 Sanctions, and Cuba, 368-79
 Saudi Arabia, 64
 Secessionist conflicts, 296-318
 Self-determination, 215, 219-21
 Serbia, 56, 71-73, 79, 198, 219
 Siberia, 90
 Sierra Leone, 96
 Sinai, 61
 Singapore, 166
 and information technology, 292
 and the World Trade Organization, 420-21
 Somalia, and secessionist conflicts, 309
 and war powers and peace operations, 41, 52, 54-55
 South Africa, and international litigation, 68-69, 77
 and issues regarding cultural dominance, 200, 211, 216
 and kleptocracy and democracy, 97
 and nuclear non-proliferation, 568
 and the Sullivan Principles, 356
 South Korea (Republic of Korea), and international arbitration, 244
 Southeast Asia Treaty Organization (SEATO), 157-59
 Sovereignty, and international institutions, 590
 and issues regarding cultural dominance, 211-14
 Soviet Union, collapse of, 92
 economic reform in, 116-17
 and isolationism and internationalism, 125, 126, 152
 and kleptocracy and democracy, 90-95
 and the law and development movement, 223-24, 226-31, 233, 237-40, 242
 and property rights, 373-74
 and secessionist conflicts, 298, 303, 304, 311, 313-15, 317-19
 and war powers and peace operations, 40
 Spain, and war powers and peace operations, 37, 47
 Spanish-American War, 148-49

 Sri Lanka, 298
 Stein, Eric, 270
 Stennis, John, 35, 57, 59
 Stott, Peter, 28
 Straus, Donald, 246
 Sudan, 298
 Sudetenland, 215
 Suez Crisis of 1956, 55, 56
 Sullivan, Mark, 144
 Sullivan Principles, 356
 Conference on Sustainable Development, 101
 Supremacy clause dilemma, 265-66
 Sweden, and the Convention on Conventional Weapons (CCW), 384
 and human rights law, 275
 and war powers and peace operations, 38
 Switzerland, and international litigation, 76-77, 82
 and kleptocracy and democracy, 91

 Taiwan, 123, 133-37, 407
 Taiwan Relations Act, 137
 Tarasova, Anna, 226
 Technologies, information, 276-84
 benefits and problems of, 17-18
 and CIESIN, 16-20
 and education, 20-25
 and environmental treaties and resource indicators (ENTRI), 28-31
 and international law, 16-34
 and issues for professional associations, 19-20
 Thailand, and kleptocracy and democracy, 86
 Tonkin Gulf Resolution, 35, 59
 Torture Convention. *See* Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment
 Torture Victim Protection Act (TVPA), 73-74
 Totalitarianism, and issues regarding cultural dominance, 213-14
 Trade Agreements Act of 1979, 101
 Trans-Atlantic Agenda, 3-5
 Trans-Atlantic Business Dialogue, 4
 Transparency, 177-92
 Transparency International, 96, 103, 107
 Treaty of Paris, 148
 Treaty of Versailles, 149, 150
 Trimble, Phillip, 265
 TRIPS Agreement, 276, 280-81, 283-84, 287, 288, 293-95
 Turkey, 159, 298
 and Cyprus, 208, 209, 210, 213
 and information technologies, 26

 UNCED. *See* Conference on Environment and Development
 UNCLOS. *See* Convention on the Law of the Sea
 Uniform Commercial Code (UCC), 233
 Uniform Recognition of Foreign Money Judgments Act, 63

- Union of Islamic Organizations, 204
- United Kingdom, 134
 - and capital flows, 164, 166, 169
 - and human rights law, 262-63, 270
 - information technology and, 288
 - and international litigation, 64, 68-69, 75-76
 - and the law and development movement, 227
 - and war powers and peace operations, 37, 39, 47, 53, 55-56
- United Nations, 349-50
 - administrative reform of, 328-33
 - and the Cold War, 157-58
 - and the Convention on Conventional Weapons (CCW), 382, 385, 390, 395
 - Economic and Social Council, 102, 268
 - and environmental issues, 30, 182, 188-91
 - financial issues, 319-29, 339-40
 - and human rights, 132, 152-53, 267, 268, 275
 - and information technologies, 21
 - and issues regarding cultural dominance, 194, 198, 208, 209-10
 - and kleptocracy and democracy, 97-98, 102
 - and secessionist conflicts, 300-1, 308, 310, 312, 313-14, 318
 - Web site, 32
 - and the Yugoslav crisis, 37-38, 41, 54, 471, 475
- United Nations Administrative Tribunal (UNAT), 337
- United Nations Charter
 - Article 2, 158
 - Article 33, 157
 - Article 51, 157, 158
 - Article 52, 158
 - Chapter VI, 36, 60-61
 - Chapter VII, 40-42, 45-46, 58, 59, 61
 - Chapter VIII, 60
 - and human rights law, 267
 - and isolationism and internationalism, 126, 128, 132, 135-37, 151, 154
 - and issues regarding cultural dominance, 194
 - and war powers and peace operations, 36, 40-42, 44-46, 49, 58, 59-61
- United Nations Commission on International Trade Law (UNCITRAL), 77, 244, 246-47, 249, 254, 255, 257-58;
- United Nations Development Programme (UNDP), 97
- United Nations Environment Programme (UNEP), 30
- United Nations Participation Act, 59-60
- United Nations Security Council, and nuclear non-proliferation, 984
- Universal Declaration of Human Rights, 152-53, 266-67
- UNPROFOR. *See* Yugoslavia
- Uruguay Round, 1-5, 7, 9, 15, 128, 287, 411, 414, 424
- U.S. Agency for International Development (USAID), 223-24, 243
- U.S. Bankruptcy Code, 63
- U.S.-Canada Free Trade Agreement, 14
- U.S. Corrupt Practices Act, 98
- U.S. Global Change Research Program (USGCRP), 29
- U.S. immigration law, and female genital mutilation, 619
 - Gender Guidelines, 616-20
 - and violence against women, 616-26
 - Violence Against Women Act (VAWA), 617, 621-623
- U.S. Patent and Trademark Office, 282, 291
- Vance-Owen plan, 208-9
- Venezuela, and kleptocracy and democracy, 100
- Vietnam War, 36, 55-56, 58, 155-59
- Violence against women, and the International Criminal Tribunal for the former Yugoslavia (ICTY), 607-9
 - and the International Criminal Tribunal for Rwanda (ICTR), 609-11
 - and sexual assault, 605-15
 - and U.S. immigration law, 616-26
- Walzer, Michael, 202
- War crimes, and the Geneva Conventions of 1949 treatment of rape, 606-7
 - and International Military Tribunal for Nuremberg, 606-7
 - sexual assault, 605-15. *See also* International Criminal Tribunal for the former Yugoslavia (ICTY)
 - International Criminal Tribunal for Rwanda (ICTR)
- War powers, 35-61
- War Powers Resolution (U.S.), 35, 40, 41, 52, 56-57, 59
- Wassenaar Agreement, 574-75
- Water pollution, 499-507
- Weapons control, 565-82
 - and information sharing, 575
 - and nongovernmental organizations, 579
- Weber, Max, 234-36
- Wilson, Woodrow, 212
- Wolfensohn, James, 103
- Working Group on Bribery, 100
- World Bank, 102-3, 105, 293, 397-411
 - and capital flows, 162, 164, 170
 - and the law and development movement, 231-32, 237, 243
- World Conservation Union, 30
- World Intellectual Property Organisation (WIPO), 77, 280

656 ASIL Proceedings, 1996

- World Ministerial Conference on Organized Transnational Crime, 97
- World Trade Organization (WTO), 2-10, 14-15, 104, 110, 352, 411-26
 - Agreement on Government Procurement, 101
 - and China, 401-5, 409-10
 - Committee on Trade and the Environment, 10, 15
 - and economic integration, 512, 520
 - and information technologies, 276
 - and isolationism and internationalism, 124, 128
 - and kleptocracy and democracy, 101-2
 - legal developments in, 415-19
 - Web site, 23-25
- World War I, 47, 134, 212
 - and attitudes towards international law, 141, 143, 149-50, 152
 - and secessionist conflicts, 296
- World War II, 39, 47, 296
 - and isolationism and internationalism, 134, 149
 - and issues regarding cultural dominance, 212-13
- World Wide Web, 23-25
 - and CIESIN, 16-20
 - and environmental issues, 29-31. *See also* Technologies, information
- Xenophobia, 211
- Yeltsin, Boris, 92
- Yom Kippur War, 35, 57
- Yugoslav crisis, 73, 471-87
 - and the Convention on Conventional Weapons (CCW), 384
 - and international litigation, 71, 72-73
 - and issues regarding cultural dominance, 198, 199, 207, 208-9, 219
 - and secessionist conflicts, 302, 305, 307, 309, 315, 317
 - and UN Protection Force in Yugoslavia (UNPROFOR), 37-38, 41, 54
 - and war powers and peace operations, 37, 38-49, 41-42, 49
- Zaire, 48
- Zurich Commercial Court, 76-77

